

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

RAYMOND JAMES & ASSOCIATES, INC.,)	
)	
Plaintiff,)	
)	
v.)	No. 2:18-cv-02104-JTF-tmp
)	
50 NORTH FRONT ST. TN, LLC,)	
)	
Defendant.)	

ORDER RESOLVING NOTICE OF NON-COMPLIANCE

Before the Court by order of reference are two Notices of Non-Compliance with the Magistrate Judge’s Order (the “Notices”), filed by Plaintiff Raymond James & Associates, Inc. (“Raymond James”) on October 4, 2018 and October 15, 2018. (*See* ECF Nos. 108 and 114). The Court held a hearing on, among other matters, the Notices on February 7, 2019. (*See* ECF No. 169) (text-only minute entry). Defendant 50 North Front St. TN, LLC (“50 North”) is ORDERED to do the following, under the supervision of counsel, relating to e-mail searches:

50 North shall conduct e-mail searches (including the inbox, sent folder/outbox, and trash/deleted items), using the search terms described in **Exhibit A**, attached hereto. As for all searches, 50 North shall conduct e-mail searches for the below-listed custodians.

1. Jacob Sofer
2. Joel Friedman
3. Hershey (and/or Hershy) Steinberg
4. Hershey (and/or Hershy) Brown
5. Audrey Davis (To the extent her e-mail accounts are accessible upon due diligent efforts.)

6. Katie Hill

The above-listed custodians were identified at the February 7, 2019 hearing by counsel for 50 North. While this email search is currently limited to the above custodians, 50 North will provide the identity of any other employee 50 North, Madison Realities, LLC, Madison Holding Trust, or Regal Holding Group, LLC. had during the time in question (2014 to present). There will be no additional search protocols imposed by the Court, at this time.

In accordance with 50 North's request at the February 7, 2019 hearing, counsel for 50 North shall produce all responsive, non-privileged documents from the above-referenced e-mail searches, along with a privilege log, and the above identification of additional employees to counsel for Raymond James within thirty days of February 8, 2019, i.e., no later than March 11, 2019. All other deadlines are governed by the Second Amended Scheduling Order.

IT IS SO ORDERED this the 11th day of February, 2019.

s/ Tu M. Pham

Tu M. Pham

United States Magistrate Judge

EXHIBIT

A

Email Searches to be performed by Defendant					
	Requests	Custodians	First Term	Second Term (each Second Term should be ran with every First Term)	Time Period
A	1	Jacob Sofer Joel Friedman Hershey(and/or Hershy) Steinberg Hershey(and/or Hershy) Brown Audrey Davis Katie Hill	"Raymond James Tower, LLC" "50 North Front St. TN, LLC" "Raymond James Tower" "50 North" "Fifty North" "50 N" "Memphis Tower" "Raymond James" "RJ" "RJA" "RJT" "Memphis"	"annual report" "Operating Agreement" "certificate of authority" "Regal" "Madison Holding Trust" "Madison Holdings" "member" "owner" "ownership" "shareholder" "partner" "limited"	01/01/2014 - Present
B(1)	2, 3, 5	Jacob Sofer Joel Friedman Hershey(and/or Hershy) Steinberg Hershey(and/or Hershy) Brown Audrey Davis Katie Hill	"@pky.com"		01/01/2014 - 2/28/2015
B(2)	2, 3, 6	Jacob Sofer Joel Friedman Hershey(and/or Hershy) Steinberg Hershey(and/or Hershy) Brown Audrey Davis Katie Hill	"CBRE"	Tennessee RJ 50 N 50 North Fifty North Memphis Raymond James Chicago	01/01/2014 - 2/28/2015
C	2, 3	Jacob Sofer Joel Friedman Hershey(and/or Hershy) Steinberg Hershey(and/or Hershy) Brown Audrey Davis Katie Hill	"Memphis" "Raymond James" "Raymond James Tower" "RJ" "RJA" "RJT" "50 North" "Fifty North" "50 N"	"due diligence" "inspection" "insurance" "engineering" "assessment" "property condition"	01/01/2014 - 2/28/2015
E	3, 4, 5, 6, 7, 8, 9, 11, 12,13, 14, 19, 20, 23, 24	Jacob Sofer Joel Friedman Hershey(and/or Hershy) Steinberg Hershey(and/or Hershy) Brown Audrey Davis Katie Hill	"elevator" or "elevators"		01/01/2014 - Present
F	3, 4, 6, 16	Jacob Sofer Joel Friedman Hershey(and/or Hershy) Steinberg Hershey(and/or Hershy) Brown Audrey Davis Katie Hill	"Lerch Bates"		01/01/2014 - Present
G (1)	6, 7, 11, 12, 13, 22, 23	Jacob Sofer Joel Friedman Hershey(and/or Hershy) Steinberg Hershey(and/or Hershy) Brown Audrey Davis Katie Hill	"@thyssenkrupp.com" "@kone.com" "@schindler.com"		01/01/2014 - Present

Email Searches to be performed by Defendant

	Requests	Custodians	First Term	Second Term (each Second Term should be ran with every First Term)	Time Period
G (1)	6, 7, 11, 12, 13, 22, 23	Jacob Sofer Joel Friedman Hershey(and/or Hershy) Steinberg Hershey(and/or Hershy) Brown Audrey Davis Katie Hill	@otis.com	Tennessee RJ 50 N 50 North Fifty North Memphis Raymond James mod(!) entrap(!) level(!) report	01/01/2014 - Present
J	15	Jacob Sofer Joel Friedman Hershey(and/or Hershy) Steinberg Hershey(and/or Hershy) Brown Audrey Davis Katie Hill	"Bock & Clark" "Bock and Clark" "@bockandclark.com"		01/01/2014 - Present
M	26	Jacob Sofer Joel Friedman Hershey(and/or Hershy) Steinberg Hershey(and/or Hershy) Brown Audrey Davis Katie Hill	"Raymond James" "Raymond James Tower" "RJ" "RJA" "RJT" "Lease" "50 North" "Fifty North" "50 N" "Memphis"	"Comparable"	01/01/2014 - Present
N	27	Jacob Sofer Joel Friedman Hershey(and/or Hershy) Steinberg Hershey(and/or Hershy) Brown Audrey Davis Katie Hill	"Raymond James" "Raymond James Tower" "RJ" "RJA" "RJT" "50 North" "Fifty North" "50 N" "Memphis"	"lease" "broker" "market" "brochure" "prospects" "brochure" "rent"	01/01/2014 - Present